Mendal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application:
Garrity et al.

U.S. Serial No.: 09/761,969

Filed: 01/16/01

For: VITAMIN D ASSAY

ATTENTION: Licensing and Review

Commissioner for Patents Washington, D.C. 20231

RESPONSE TO 45 DAY NOTICE TO FILE DOE DECLARATION

Sir:

In response to the Notice to File DOE Declaration dated April 3, 2001, Applicants herewith submit an executed DOE Declaration under 37 C.F.R. 1.68.

Please contact the undersigned should further information be required.

Respectfully submitted,

Docket: A1712

Donald E. Stout

Group Art: 1641

Attorney for Applicants

Registration Number: 34,493

May 10, 2001 Irvine, CA

phone: 949-450-1750 facsimile: 949-450-1764

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail in an envelope addressed to:

Commissioner for Patents

Attention: Licensing and Review

Washington, D.C. 20231

Signature:

Dawn E. Zoniga

Date:

May 10, 200